

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

**F047029      North American Building Maintenance, Inc. v. Fireman's Fund Insurance Company**

Cause called and argued by Patrick D. Toole, Esq., counsel for appellant and by Michael C. Cooper, Esq., counsel for respondent.

Cause ordered submitted.

The court adjourns.

**F046797      People v. Garcia**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F048166      People v. Sran**

Appellant's petition for rehearing filed herein is denied.

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**F049239      In re Jesenia R., a Minor**

Appellant Jessica R. filed a timely appeal from an adverse order in proceedings brought pursuant to Welfare and Institutions Code section 300. This court appointed appellate counsel. On January 11, 2006, appointed counsel filed a letter asking this court to extend time for appellant personally to file a supplemental brief. By order filed January 13, 2006, we extended time for appellant personally to file a brief until February 13, 2006, and stated, "If no brief is filed within the time specified in this order or as extended for exceptional good cause, the appeal may be dismissed." No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

**F049366      John M. v. The Superior Court of Fresno County; Fresno County Department of Children & Family Services**

Pursuant to the terms of this court's order of February 6, 2006, and the failure of any party to request oral argument, the oral argument date of March 2, 2006, is vacated. This matter is deemed submitted on the date of this order.

**F049494      City of Visalia v. Harrah et al.**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed as it is an appeal taken from a nonappealable order.

**F049468      Bryan R., v. Tulare Co Health & Human Services Agency**

The above-entitled case is submitted for decision.

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**F049456 Douglas v. Soliz**

Let a writ of mandate issue directing the Tuolumne County Superior Court to vacate its order of December 8, 2005, in Tuolumne County Superior Court action No. CV50544, which denied petitioner's motion for protective order, and enter a new order (1) granting said motion insofar as petitioner seeks to have RPI proceed under Penal Code sections 832.7 and 832.8, Evidence Code section 1043, and Pitchess v. Superior Court, supra, 11 Cal.3d 531, in his efforts to obtain the materials sought in the deposition subpoena of Moeszinger, and (2) staying the deposition of Moeszinger until after the court's ruling on the Pitchess motion.

This court's order of January 6, 2006, shall remain in effect until after the superior court rules on the Pitchess motion described above. In the even RPI does not file a Pitchess motion, said stay shall remain in effect until further order of this court upon adequate showing by RPI of why the stay should be vacated.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F049314 Kory C., v. Kern Co Dept of Human Services**

The above-entitled case is submitted for decision.

**F049314 Kory C., v. Kern Co Dept of Human Services**

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]